

## Message Text

UNCLASSIFIED

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ACTION XMB-07

INFO OCT-01 ARA-10 ADP-00 TRSE-00 COME-00 CIAE-00 INR-10

NSAE-00 RSC-01 RSR-01 /030 W  
----- 094486

P 151716Z AUG 73

FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 6691

UNCLAS LIMA 5934

E.O. 11652: N/A

TAGS: EFIN, PE

SUBJ: FCIA CLAIM NO. P-202/ANTONIO CIAMARRA

REF: STATE 087638 DATED MAY 8, 1973 EIB LETTER DATED JUNE 28,  
1973 TO COMMATT.

1. ACCORDING TO GOP CUSTOMS OFFICIALS THERE WAS NO INCREASE IN DUTY ON WORKER'S HELMETS BETWEEN TIME OF ORDER (12/16/71) AND DATE BUYER WAS NOTIFIED GOODS AVAILABLE TO HIM. WORKERS HELMETS ARE CLASSIFIED UNDER PERUVIAN TARIFF ITEM NO. 65.06.0.04 AND PAY A DUTY OF 10 SOLES PER GROSS KILO PLUS 50 PERCENT AD VALOREM (C.F.I.F.) PLUS 12 PERCENT AD VALOREM (C.I.F.).

2. ACCORDING TO BUYER, SR. CIAMARRA, WHEN HIS HELMETS ARRIVED CUSTOMS AUTHORITIES DID NOT CONSIDER THEM TO BE WORKERS HELMETS BUT RATHER INSISTED IN CLASSIFYING THEM UNDER ANOTHER TARIFF CLASSIFICATION NUMBER, VIZ 65.06.0.99, WHICH APPLIES TO LIGHT-WEIGHT HARDBOARD TYPE HELMETS OF TYPE WE WOULD CALL SUN OR PITH HELMETS AND FOR WHICH THE DUTY IS 150 SOLES PER GROSS KILO PLUS 100 PERCENT AD VALOREM (C.I.F.) PLUS 12 PERCENT AD VALOREM (C.I.F.). DIFFERENCE IN DUTY TO BE PAID WAS CONSIDERABLE I.E. \$4828.00 VS \$1487.00. CONSEQUENTLY, AFTER AN APPEAL FROM THIS DECISION FAILED, BUYER REFUSED TO CLEAR SHIPMENT.

3. CIAMARRA'S CUSTOMS AGENT IN PERU SAYS THAT TARIFF CLASSIFICATION PROBLEM IS CIAMARRA'S FAULT IN THAT HE FILLED OUT CONSULAR DECLARATION INCORRECTLY. EMBASSY UNABLE DETERMINE WHY  
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THIS ERROR COULD NOT BE EXPLAINED TO SATISFACTION CUSTOMS BUT,

IN ANY EVENT, IT CLEAR THAT BUYER'S REFUSAL TO CLEAR GOODS WAS  
NOT BASED ON SUDDEN INCREASE IN DUTY ON ITEM ORDERED BUT RATHER  
IN TARIFF CLASSIFICATION ASSIGNED TO ITEM AFTER ITS ARRIVAL WHICH  
RESULTED IN ASSESSMENT OF DUTY MUCH HIGHER THAN BUYER HAD EXPECTED.  
BELCHER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 15 AUG 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973LIMA05934  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** LIMA  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Office:** ACTION XMB  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** STATE 087638 DATED MAY 8, 1973 EIB L, ETTER DATED JUNE 28  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** kellerpr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 07 NOV 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <07-Nov-2001 by reddocgw>; APPROVED <26 FEB 2002 by kellerpr>  
**Review Markings:**

Declassified/Released  
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EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** FCIA CLAIM NO. P-202/ANTONIO CIAMARRA  
**TAGS:** EFIN, PE  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005